

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE LIBOR-BASED FINANCIAL  
INSTRUMENTS ANTITRUST LITIGATION

MDL No. 2262 (NRB)

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THIS DOCUMENT RELATES TO EXCHANGE-  
BASED PLAINTIFFS ACTION

ECF Case

Case No. 11 Civ. 2613 (NRB)

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METZLER INVESTMENT GmbH, FTC  
FUTURES FUND SICAV, and FTC FUTURES  
FUND PCC LTD., ATLANTIC TRADING USA,  
LLC, 303030 TRADING LLC, GARY FRANCIS  
and NATHANIEL HAYNES, on behalf of  
themselves and all others similarly situated,

**NOTICE OF APPEAL IN A  
CIVIL CASE**

11 Civ. 2613 (NRB)

Plaintiffs,

-against-

CREDIT SUISSE GROUP AG, BANK OF  
AMERICA CORPORATION, BANK OF  
AMERICA, N.A., J.P. MORGAN CHASE & CO.,  
J.P. MORGAN CHASE BANK, N.A., HSBC  
HOLDINGS PLC, HSBC BANK PLC, HBOS PLC,  
BARCLAYS BANK PLC, LLOYDS BANKING  
GROUP PLC, LLOYDS TSB BANK PLC,  
WESTLB AG, WESTDEUTSCHE  
IMMOBILIENBANK AG, UBS AG, ROYAL  
BANK OF SCOTLAND GROUP PLC,  
DEUTSCHE BANK AG, THE NORINCHUKIN  
BANK, ROYAL BANK OF CANADA, THE  
BANK OF TOKYO-MITSUBISHI UFJ, LTD.,  
COOPERATIVE CENTRAL RAIFFEISEN-  
BOERENLEENBANK B.A., SOCIETE  
GENERALE S.A., CITIGROUP, INC.,  
CITIBANK N.A., and JOHN DOES 1-5,

Defendants.

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PLEASE TAKE NOTICE that pursuant to Fed. R. App. P. 4(a)(1)(A), Plaintiffs Metzler Investment GmbH, FTC Futures Fund SICAV, FTC Futures Fund PCC Ltd., Atlantic Trading USA, LLC, 303030 Trading LLC, Gary Francis and Nathaniel Haynes (collectively, “Exchange-Based Plaintiffs”), on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Second Circuit from: (1) the Judgment of this Court entered on the docket on February 11, 2015 (the “Judgment”) (ECF No. 1013) pursuant to this Court’s Order entered on the docket on February 5, 2015 (ECF No. 1008), certifying pursuant to Rule 54(b) of the Federal Rules of Civil Procedure that partial judgment is entered dismissing the fifth count of the Exchange-Based Plaintiffs’ Corrected Second Amended Consolidated Class Action Complaint (ECF. No. 438) for violation of Section 1 of the Sherman Act, 15 U.S.C. § 1; (2) the Memorandum and Order dated March 29, 2013 (ECF No. 286) and the Memorandum and Order dated August 23, 2013 (Doc. No. 389) dismissing the fourth count of the Exchange-Based Plaintiffs’ Amended Consolidated Class Action Complaint (ECF No. 134) for violation of Section 1 of the Sherman Act, 15 U.S.C. § 1, and denying leave to replead that claim in a proposed amended complaint (ECF No. 332-1); and (3) all rulings subsumed within the Judgment that were adverse to Exchange-Based Plaintiffs in connection with this Court’s dismissal of the Exchange-Based Plaintiffs’ Sherman Act Section 1 claim and denial of their leave to replead that claim in a proposed amended complaint.

Dated: New York, New York  
February 12, 2015

LOVELL STEWART HALEBIAN  
JACOBSON LLP

/s/ Christopher Lovell  
Christopher Lovell  
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Respectfully submitted,

KIRBY McINERNEY LLP

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*Interim Co-Lead Counsel for Exchange-Based Plaintiffs and the Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date a true copy of the foregoing Notice of Appeal has been filed electronically and made available for viewing through and downloading from the Court's Electronic Case Filing System. Pursuant to District Court Local Civil Rule 5.2 and Local Rule 3.1 of the Court of Appeals for the Second Circuit, the Notice of Appeal has thereby been served electronically upon counsel for all parties in this action.

Dated: February 12, 2015

/s/ David E. Kovel